

**IDAHO STATE BAR APPELLATE PRACTICE SECTION  
GOVERNING COUNCIL MEETING**

**AUGUST 8, 2019, 12:00 p.m.**

Location: Stoel Rives, 101 S. Capitol Blvd., Suite 1900, Boise, ID 87302

Attending: Kim Coster (Chairperson, presiding officer), Lori Fleming (Vice Chairperson), Ben McGreevy (Secretary/Treasurer), Brian Dickson (Past Chairperson), Stephen Adams, Sara Berry, Brian Church, Christopher Graham, Jaycee Nall, Jonathan Shirts (At-Large Council Members), Christopher Pooser

**1. Approve Minutes**

The motion to approve the minutes from the July 11, 2019, Governing Council meeting **passed**.

**2. Announcement—Member Resignation**

Ted Tollefson, recently appointed to the bench as a magistrate judge in Ada County, has resigned from the Governing Council. There was no clear mechanism in the Section bylaws to replace a Council member. Brian Dickson suggested looking into whether the Section could call a special election. Sara recommended amending the bylaws after October to create a mechanism to replace Council members. Brian Dickson thought Article VII, Section 1 of the bylaws could be read to authorize a special meeting to replace a Council member. Brian Church recommended putting the question to a vote of the Section membership at the next member meeting. Kim would write a letter thanking Judge Tollefson for his service.

As for appointing someone to fill the remainder of the term, Stephen suggested the Council could consider appointing someone instead of having the members vote on the issue. To fill the vacancy, Brian Dickson suggested advertising the vacancy to members, including at the CLE.

The motion to look into an election for a new Council member to fill the remainder of Judge Tollefson's term **passed**.

**3. Budget**

**a. Finance Report**

Ben told the Council that the Section now had its financials current through June 30, 2019, to include an update to the special expenses.

b. Approval of CLE and Handbook Expenses

On CLE expenses, Brian Dickson had been in contact with Bacon to cater breakfast, and estimated it would cost \$1,700 per person for half a breakfast burrito and fruit. The Section could have people run to Costco for snacks to cover the rest of the day.

Brian Church asked if the Section had an original estimate for breakfast catering. The CLE subcommittee did not have a prior estimate from Bacon for catering.

Current known expenses for the CLE included the \$1,000 fee for keynote speaker Amir Ali, and the donation to Concordia University School of Law. Per Teresa Baker, it would cost around \$600-\$700 for the Bar to handle streaming and webcasting. Travel and food expenses for the speakers would come at the back end of the CLE, which would likely include lodging for two nights and five meals. Christopher Pooser stated the Section made about \$10,000 at the last CLE.

The motion to approve a total of \$2,200 for catering expenses, including for Bacon and Costco, **passed**.

As for handbook expenses, Christopher Pooser explained the expenses were currently unknown. Last time, the handbook expenses had been about \$500. The Section would need to pay the expenses by October. The expenses would likely be about \$15 per thumb drive from the Bar. Christopher Pooser would call the Bar about the handbook expenses. The Council postponed acting on the handbook expenses.

**4. Events**

a. Handbook Update

Christopher Pooser confirmed the next deadline would be the end of the month. Most people involved in the update had reviewed their chapters and passed the chapters to their reviewers. The reviewers would then make changes. The week of September 1, the updates would roll out to the editing group. Kim would not be available that week. Kim invited the Council to send in any changes they thought should be included. Stephen noted that practice tips could be added, and recommended people keep throwing them in. Christopher Pooser would have everyone involved email him their current status. Stephen would be able to address any technical issues with Google Drive, and suggested working on the updates in Word, and then cutting and pasting the updates to Google Drive.

b. All-Day CLE

Kim reported that we have a schedule for the CLE, but one speaker (Leonard Feldman) has backed out. Kim would like to keep his subject, hot benches, on the CLE program. Sara told the Council Mr. Feldman did not have any recommendations on who to replace him. Kim suggested

talking to Syrena Hargrove to see if she knew anyone in D.C. willing to speak on the topic. Or Ms. Hargrove would be good for the subject as well. Brian Dickson thought a member of the Council could present on hot benches, but he would rather find a draw speaker. Stephen suggested the Council could have a panel discussion. Brian Dickson would reach out to Ms. Hargrove.

Kim stated she would need speaker biographies for the CLE brochure. She only had the biography for Justice Jim Jones.

Kim also stated the registration form would go out to the Bar, with the speaker for the hot benches topic to be determined.

Kim informed the Council that the registration fee would be \$210 for non-members and \$180 for members. For registration and the handbook, the fee would be \$335 for non-members and \$225 for members. The handbook alone would cost \$150 for non-members and \$100 for members. There would also be a webcast, with a possible price difference.

The Council discussed whether there should be a fee for student webcasts. Brian Church wondered what the difference in attendance was between free and paid webcasts for students. Brian Dickson stated a fee could be used to recoup some of the expenses for webcasting. Kim explained the Bar could webcast the CLE live and record it for later. The Section would need to coordinate with the Bar and Concordia, or get a hardline Internet connection the Bar could use. Jaycee suggested that, as a recent student, her experience was that more students would be interested if the webcast were free. The Council decided to have a free webcast for students.

Thus, the registration fees for the CLE would be:

Registration Only	\$210 (non-members)/\$180 (members)
Registration and Handbook	\$335 (non-members)/\$225 (members)
Student Webcast	Free

Kim provided the agenda for the CLE:

8:30 a.m.	Welcome
9:00 a.m.	Mr. Ali
10:00 a.m.	Justice Jones
11:00 a.m.	Speaker To Be Determined (hot benches)
12:00 p.m.	Lunch
1:30 p.m.	Stephen Masciocchi and Sara
2:30 p.m.	Leslie and Brian Church
3:30 p.m.	Mary York

The motion to approve the CLE agenda and registration fees **passed**.

As for other committee assignments, Brian Dickson mentioned there would need to be someone to make a Costco run before the CLE. The Bar would provide someone to help with registration. Kim stated she would schedule a time with Concordia to make sure the venue was prepared. The Section would need to make sure the speakers had their PowerPoint presentations, etc. ready. Sara reported that Mr. Masciocchi had asked for the format and date for his presentation. Stephen asked if the Council would consult with the Bar about computer issues, or use the Concordia computers. Kim advised it would be better not to wait until the morning of the CLE to set up the presentations. The Council would need to figure out who was doing IT at the Bar, perhaps by asking Teresa Baker. Stephen stated the Concordia computer system was easy to use. Jaycee stated that, at a prior CLE, she did not notice any live webstreaming. Brian Dickson told the Council that Concordia, at the least, had simulcast capacity in their own building.

Sara asked if the Council needed to form a subcommittee to deal with catering. Kim stated the Council could wait to assign those roles in September.

The speaker subcommittee (Brian Dickson, Jonathan, Sara, and Stephen) would continue looking for a replacement speaker for the hot bench presentation. A panel composed of Council members would be a last resort.

## **5. Upcoming Meetings**

The Council clarified that the November Council meeting would be held on November 7, not November 14.

## **6. Other Business**

### **a. Op Clips**

Christopher Pooser wanted to put a link to the CLE registration on the Op Clips, once the link is posted. The Bar will only send a save-the-date email for the CLE to Section members, not to Bar membership as a whole. Kim explained that Bar would have the CLE agenda and registration on the website.

Christopher Pooser also noted the new people dealing with the Op Clips at the Bar were not quite as responsive, and the Op Clips that had recently been submitted had not yet been posted. Kim suggested CCing Teresa Baker. Brian Dickson stated the Bar was still working out its new organizational chart.

## **7. Adjournment**

The meeting adjourned at 1:00 p.m.